

# EXHIBIT J

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1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

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3 HERMÈS INTERNATIONAL, et al.,

4 Plaintiffs,

5 v.

22 Civ. 384 (JSR)

6 MASON ROTHSCHILD,

7 Defendant.

8 -----x

New York, N.Y.  
February 1, 2023  
9:30 a.m.

10 Before:

11 HON. JED S. RAKOFF,

12 District Judge  
13 -and a Jury-

14  
15 APPEARANCES

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N21sHER2

Estival - Direct

1 the Discord server, you can see how many people have joined  
2 your server. There was 50,000 people going for 100 different  
3 items, right. Um, so, you know, it's a standard supply-and-  
4 demand thing. You know, there was only 100, but there was  
5 50,000 people who wanted them. What happens there, what do the  
6 people do with it.

7 Q. Take that down, please, Ashley.

8 Mr. Rothschild, who is Ken Loo?

9 A. It's my publicist.

10 Q. What is your current relationship with Mr. Loo?

11 A. Um, he's currently still by publicist.

12 Q. And did he work on the MetaBirkins project?

13 A. He was my publicist for it, but he didn't, like, make  
14 anything or do any part of the creative.

15 Q. Did you ask Mr. Loo to make it known that you were the  
16 creator of the MetaBirkins?

17 A. Um, yes.

18 Q. And what did you ask Mr. Loo to do?

19 A. Honestly, we were fielding a bunch of, like, press requests  
20 and stuff. So Ken, as my publicist, is tasked with making sure  
21 that I was credited for it, used the proper images, they don't  
22 post, like, the wrong images -- there was a lot of fake  
23 collections going on at the time -- and if they needed a quote  
24 from me for the article.

25 Q. And did Mr. Loo give any instructions as to how he was to

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1 characterize the source of the MetaBirkins?

2 A. Yeah. It was always to make sure it was not, um, a  
3 collaboration or done by Hermès. We have corrected the press  
4 on numerous occasions where they accidentally said it was  
5 Hermès and we said, Hey, like, that's incorrect.

6 You know, I have Google alerts which tells me every  
7 time something gets published by me or has my name or  
8 MetaBirkins. I was constantly monitoring it, making sure  
9 nothing wrong was written in the press.

10 Q. Did you ever become aware, Mr. Rothschild, that any  
11 purchasers of MetaBirkins were confused as to whether you were  
12 the creator?

13 A. No.

14 Q. Did you ever need to correct any purchaser of a MetaBirkins  
15 as to the source of the goods?

16 A. Um, no.

17 Q. You testified just a little bit ago that you kept one  
18 MetaBirkin for yourself, right?

19 A. Correct.

20 Q. And when the MetaBirkins were originally minted, how many  
21 of them did you get?

22 A. I minted one and then, um, one of my engineers had minted  
23 one to test the contract. And then my other one, I had two  
24 engineers, and they minted two of them prior to me. The first  
25 three that get minted, I think, um, I forget the name of the

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1 A. Yes. I have a Damien Hirst skull on my arm, and I have a  
2 couple Francisco de Goya etchings, a bullfighter, and I have  
3 this one right here, horse tattoo. I got a bunch.

4 Q. Mr. Rothschild, you said the Hermès horse was fuzzy.

5 Is it fuzzy?

6 A. Furry.

7 Q. What?

8 A. Furry.

9 Q. Yours is furry.

10 Is Hermès'?

11 A. I think it's just leather.

12 Q. So you were making a -- I just want to understand.

13 You were making a fuzzy image of an Hermès that is a  
14 leather?

15 A. Yeah. Pretty much, like, the MetaBirkins.

16 Q. OK. Did you ever release the additional MetaBirkins, the  
17 banana one, to be minted?

18 A. No.

19 Q. Did you ever gift the horse image?

20 A. No.

21 Q. Why not?

22 A. I had a cease and desist and eventually got sued, so I  
23 didn't want to continue to push things out while there is  
24 litigation happening.

25 Q. What did you do after receiving the cease and desist?